

November 12, 1998

Re: Call-in Technical Inquiry 0400 – Floodplain Determination

Dear NEPA User:

This letter is in response to your September 10, 1998 request for a floodplain determination for GSA property located in your region. The property in question is part of Methodist Mission Reserve 0.62A and is bound by a legal description which you provided to us for use in obtaining the determination. A building is located on the property, but does not have a street address and you do not have additional information in order to define its location on the property. You would like a floodplain determination for the property and, if possible, for the building located on the property.

SUMMARY OF FINDINGS

NEPA Call-In obtained a determination that the property is located in a dual zone. Part of the property is located in zone 'AE', or the 100-year flood zone. The remaining portion of the property is located in a zone 'X' which is not shaded. Zone 'X' with no shading indicates that portion of the property is outside the 500-year flood zone. We were not able to obtain a determination of which flood zone the building is located in due to lack of information about where the building is sited within the property boundaries.

DETAILED FINDINGS

NEPA Call-In contacted Flood Zone Determination Services, Carnegie, Pennsylvania (800) 841-0662, and requested a standard flood determination for the property based on the legal description provided by you. The determination form we received (enclosed) states the property is in flood zone 'AE' and zone 'X' with no shading. The determination was based on Flood Insurance Rate Map (FIRM) Community-Panel Number 260059 0003 B, May 4, 1988.

We then reviewed the Federal Emergency Management Agency (FEMA) guidance document, "How to use a flood map to determine flood risk for a property," May 1995. According to this document, flood zone 'AE' means Special Flood Hazard Areas (SFHA) inundated by the 100-year flood where base flood elevations are determined on the FIRM. Zone 'X' with no shading indicates areas outside the 500-year flood zone.

Due to lack of information about the location of the building within the property boundaries, Flood Zone Determination Services was not able to determine if the building is in the zone 'AE' or zone 'X' with no shading. In a follow-up phone call, you stated you would like to know which of the two zones the building is located in and provided NEPA Call-In with detailed survey maps of the area in question. In addition, NEPA Call-In obtained U.S. Geological Survey (USGS) 7.5 minute topographic maps of the area in question in order to assist in the determination. With your permission, we forwarded the detailed survey maps to Flood Zone Determination Services for a more detailed floodplain determination of the building in question. We will forward the results of this more detailed determination to you in a follow on to this letter upon receipt of the information from Flood Zone Determination Services.

Regarding the use of commercial floodplain determination services for agency decisionmaking, the NEPA Liaison, GSA National Office, cautions that such services should not be relied upon as a sole source of information. The NEPA Liaison has stated that commercial floodplain determination services could be used to support other information obtained by you in consultation with the USACE, local city and State planning and permitting offices, and other appropriate agencies such as FEMA and Housing

and Urban Development (HUD).

You should also be aware that Federal agencies must comply with the provisions of Executive Order (EO) 11988, "Floodplain Management," May 24, 1977. EO 11988 requires Federal agencies to avoid "to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative." The EO discusses development in relation to the 100-year floodplain (500-year floodplain for critical actions), but does not provide waivers for development in floodplains with minimal flood depth. Furthermore, property protected from 100-year floods by levees does not necessarily indicate the property is removed from the 100-year floodplain for the purposes of compliance with EO 11988. According to EO 11988, if your action is determined to be a critical action, it should not be located in property designated as Zone X with shading unless this is the only practicable alternative (see NEPA Call-In Factsheet, "When Siting in the Floodplain is the only Practicable Alternative").

The materials in this TI have been prepared for use by GSA employees and contractors and are made available at this site only to permit the general public to learn more about NEPA. The information is not intended to constitute legal advice or substitute for obtaining legal advice from an attorney licensed in your state and may or may not reflect the most current legal developments. Readers should also be aware that this response is based upon laws, regulations, and policies in place at the time it was prepared and that this response will not be updated to reflect changes to those laws, regulations and policies.

Sincerely,

(Original Signed)

NEPA Call-In Researcher